

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	1:19cr00017
)	Electronic Filing
DAVID ANTHONY THOMPSON)	

ORDER OF COURT

AND NOW, this 6th day of September, 2018, defendant having filed a Motion for a Pre-Plea Presentence Investigation Report and Court having given the matter due consideration,

IT IS HEREBY ORDERED that defendant's motion (ECF 23) is **GRANTED**. Pursuant to Federal Rule of Criminal Procedure 32(e)(1), the United States Probation Office is hereby directed to conduct a pre-plea investigation and report as specified below:

- Pre-plea Criminal History/Career Offender/Armed Career Criminal Investigation and Report (disclosure to the parties only 60 days from the date of the order*).
- Other (Specify scope of report, disclosure date, and to whom): The Probation Office shall prepare a pre-plea report for the purpose of determining defendant's criminal history and any potential and/or applicable enhancements or departures. *In addition, pursuant to the defendant's Waiver of Rights Under Rule 32(e)(1), the pre-plea report shall be disclosed to the Court as well.

IT IS FURTHER ORDERED that the time from August 30, 2019, until 30 days after the receipt of the pre-plea presentence report be deemed excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Specifically, the Court finds that the ends of justice served by granting this continuance for the preparation of a pre-plea presentence report and period of time for review outweigh the best interests of the public and the defendant to a speedy trial. 18

U.S.C. § 3161 (h)(7)(A). For the reasons stated in defendant's motion, the failure to grant such a continuance would deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

s/ DAVID STEWART CERCONE
David Stewart Cercone
Senior United States District Judge

cc: Christian A. Trabold, AUSA
Patrick K. Nightingale, Esquire
United States Probation Office

(Via CM/ECF Electronic Mail)